

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

MAY -4 2012

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	2 CA-CR 2011-0275
)	2 CA-CR 2011-0276
Appellee,)	(Consolidated)
)	DEPARTMENT B
v.)	
)	<u>MEMORANDUM DECISION</u>
JAMES ELLIOT ROMEO,)	Not for Publication
)	Rule 111, Rules of
Appellant.)	the Supreme Court
_____)	

APPEAL FROM THE SUPERIOR COURT OF COCHISE COUNTY

Cause Nos. CR201000832 and CR201000869

Honorable Ann R. Littrell, Judge

AFFIRMED

Daniel J. DeRienzo

Prescott Valley
Attorney for Appellant

V Á S Q U E Z, Presiding Judge.

¶1 James Romeo was convicted after a jury trial of five counts of armed robbery, five counts of aggravated robbery, nine counts of kidnapping, and twelve counts of aggravated assault involving nine victims. Except for five of the aggravated assault counts, the jury found each offense to be a dangerous offense and that two each of the kidnapping and aggravated assault counts were dangerous crimes against children. The

trial court sentenced Romeo to a combination of concurrent and consecutive, presumptive prison terms totaling 104 years.

¶2 Counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), in which he avows he has reviewed the record but has found no “error or arguable questions of law” and requests that we search the record for error. Romeo has filed a supplemental brief, arguing the trial court improperly denied his counsel’s motion to withdraw, his speedy trial rights were violated, and a juror should have been excused because he was a friend of the victims.

¶3 Viewed in the light most favorable to sustaining the verdicts, the evidence was sufficient to support the jury’s findings of guilt. *See State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999); *see also* A.R.S. §§ 13-705(D); 13-1204(A)(2), (4), (6); 13-1304(A); 13-1903(A); 13-1904(A). The evidence shows that, in November 2009, Romeo and several accomplices entered a residence and bound the four adults in the home with duct tape. Four minors in the home—two under the age of fifteen—also were taken captive, as was a fifth adult who had arrived during the incident. Romeo punched and kicked one of the victims several times, and punched another, also using a taser on that victim. At least one of Romeo’s accomplices carried a gun throughout the incident, threatening several victims. The assailants took items from the adult victims.

¶4 Although Romeo raises several arguments in his supplemental brief, it is devoid of citations to the record or to legal authority and does not comply in any

meaningful way with Rule 31.13(c), Ariz. R. Crim. P. Litigants proceeding pro se are held to the same standards as attorneys. *See State v. Cornell*, 179 Ariz. 314, 331, 878 P.2d 1352, 1369 (1994). His failure to properly develop or support his claims constitutes waiver of those claims on appeal. *See State v. Bolton*, 182 Ariz. 290, 298, 896 P.2d 830, 838 (1995) (defendant waives claims insufficiently argued). The materials relevant to those claims are, however, part of the record we have reviewed for error, and based on that review we find his claims to be without merit.

¶5 Romeo’s sentences were within the prescribed statutory range and were imposed lawfully. *See* A.R.S. §§ 13-702(D); 13-704(A); 13-705(D), (M); 13-1204(D); 13-1304(B); 13-1903(B); 13-1904(B). Pursuant to our obligation under *Anders*, we have searched the record for reversible error and, having found none, Romeo’s convictions and sentences are affirmed.

/s/ Garye L. Vásquez

GARYE L. VÁSQUEZ, Presiding Judge

CONCURRING:

/s/ Philip G. Espinosa

PHILIP G. ESPINOSA, Judge

/s/ Virginia C. Kelly

VIRGINIA C. KELLY, Judge